

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
v.)	No.
)	
FORTY-EIGHT THOUSAND, ONE)	
HUNDRED DOLLARS IN U.S.)	
CURRENCY (\$48,100.00),)	
)	
Defendant.)	

VERIFIED COMPLAINT OF FORFEITURE

COMES NOW, Plaintiff, United States of America, by and through its attorneys, Jeffrey B. Jensen, United States Attorney for the Eastern District of Missouri, and Lindsay McClure-Hartman, Assistant United States Attorney, for said district, and for its Verified Complaint for Forfeiture states as follows:

Nature of the Action

1. This is a civil action *in rem* brought by the United States of America seeking forfeiture of all right, title, and interest in the above-captioned defendant property pursuant Title 21, United States Code, Section 881(a)(6) and Title 18, United States Code, Sections 981(a)(1)(A) and (C).
2. The defendant property was seized by law enforcement on or about October 23, 2018 and is described more fully as forty eight thousand, one hundred dollars in U.S. Currency (\$48,100.00)(the “defendant property”).

Jurisdiction and Venue

3. This Court has jurisdiction over this action pursuant to 28 U.S.C. §§ 1345, 1355, and 1395.

4. Venue is proper pursuant to 28 U.S.C. § 1355(b)(1)(A) because the acts and omissions giving rise to forfeiture took place in the Eastern District of Missouri. Venue is also proper pursuant to 28 U.S.C. § 1395(b) because the defendant property was seized in the Eastern District of Missouri.

Statutory Framework

5. Title 21, United States Code, Section 881(a)(6) authorizes the civil forfeiture of “all moneys, negotiable instruments, securities, or other things of value furnished or intended to be furnished by any person in exchange for a controlled substance or listed chemical in violation of this subchapter, all proceeds traceable to such an exchange, and all moneys, negotiable instruments, and securities used or intended to be used to facilitate any violation of this subchapter.”

6. Title 18, United States Code, Section 1956(a)(1)(A)(i) criminalizes conducting a transaction, including transferring, delivering, or other disposition, knowing that such transaction represents the proceeds of some form of unlawful activity and that in fact involves the proceeds of a specific unlawful activity, including violations of the Controlled Substances Act, with the intent to promote the carrying on of the specified unlawful activity.

7. Title 18, United States Code, Section 1956(a)(1)(B) criminalizes conducting a transaction, including transfer, delivery, or other disposition, knowing that such transaction represents the proceeds of some form of unlawful activity and that in fact involves the proceeds of a specific unlawful activity, including violations of the Controlled Substances Act, knowing that

the transaction is designed in whole or in part to conceal or disguise the nature, location, source, ownership, or control of the proceeds of specified unlawful activity.

8. Pursuant to Title 18, United States Code, Section 981(a)(1)(A), any property, real or personal, involved in a transaction or attempted transaction in violation of section 1956 of Title 18, or any property traceable to such property, is subject to civil forfeiture.

9. Title 18, United States Code, Section 1952 criminalizes traveling in interstate commerce with the intent to distribute the proceeds of any unlawful activity, including a business enterprise involving controlled substances, or otherwise promoting, managing, establishing, carry on, or facilitating the promotion, management, establishment, or carrying on, of such unlawful activity.

10. Pursuant to Title 18, United States Code, Section 981(a)(1)(C), any property, real or personal, which constitutes or is derived from proceeds traceable to a violation of Title 18, United States Code, Section 1952 is subject to civil forfeiture.

Facts Giving Rise to the Forfeiture

11. On or about October 23, 2018, SCCDTF officers observed a 2018 Volkswagen Atlas (“Atlas”) on Interstate 70 near mile marker 205, within the Eastern District of Missouri, traveling westbound.

12. Officers conducted a traffic stop of the Atlas for a traffic violation.

13. The driver of the Atlas was Nathaniel A. Williams (“Williams”). The registered owner of the Atlas was EAN Holdings LLC. Williams stated his brother rented the car for him and he did not possess the rental agreement.

14. Williams told officers he was coming from Pennsylvania, where he went to renew his driver’s license. He stated he was on his way back to Colorado and had only been in

Pennsylvania for one day.

15. Officers could smell an immediate odor of marijuana. Officers asked Williams if he had been smoking marijuana and Williams replied that he had smoked marijuana earlier. Officers then asked if they could search the vehicle and its contents. Williams verbally granted consent to search the vehicle and its contents.

16. During a subsequent search, officers located a gray plastic bag on the floorboard of the rear of the car. A search of the bag revealed a large amount of United States Currency, which was rubber banded in various increments and contained a strong odor of marijuana.

17. A further search of the vehicle revealed another bundle of currency in the glove box, which was also rubber banded together.

18. Officers asked Williams about the defendant currency located in the plastic bag and glove box. Williams stated he was going to use the currency to purchase a tow truck. When asked how he acquired the currency, Williams replied, “work.” When asked, Williams was unsure of how much money he had in the vehicle. He said he had spent some, purchased money orders and had some travel expenses. He said he started with around \$58,000.00 but was unsure how much remained.

19. Due to the totality of circumstance, the traffic stop was moved to a secure facility. A trained drug detection canine was deployed for a “discretionary sniff” and the canine gave a positive alert to the currency for the presence of the odor of illegal narcotics.

20. An official count of the currency totaled \$48,100.00 (the “defendant property”).

COUNT ONE – FORFEITURE
21 U.S.C. § 881(a)(6)

21. The United States incorporates by reference the allegations set forth in Paragraphs 1 to 20 above as if fully set forth herein.

22. The defendant property is bulk U.S. currency that was discovered by law enforcement officers in bundles, wrapped in rubber bands, in denominations and a manner that is consistent with drug trafficking. In addition, a certified narcotics canine alerted positively to the presence of a controlled substance on the defendant property.

23. The defendant property is subject to forfeiture pursuant to 21 U.S.C. § 881(a)(6) as money furnished or intended to be furnished in exchange for a controlled substance, as proceeds traceable to such an exchange, and as money to be used to facilitate a violation of the Controlled Substances Act.

COUNT TWO – FORFEITURE
18 U.S.C. § 981(a)(1)(A)

24. The United States incorporates by reference the allegations set forth in Paragraphs 1 to 20 above as if fully set forth herein.

25. The defendant currency is proceeds of an unlawful activity involving controlled substances and was transported through the Eastern District of Missouri by Williams with the intent to promote the carrying of, and to conceal or disguise the nature, location, source, ownership or control of, a specified unlawful activity.

26. Based on the foregoing, the defendant currency is subject to forfeiture, pursuant to Title 18, United States Code, Section 981(a)(1)(A) as property involved in a transaction or attempted transaction in violation of Title 18, United States Code, Section 1956, or as property traceable to such property.

COUNT THREE – FORFEITURE
18 U.S.C. § 981(a)(1)(C)

27. The United States incorporates by reference the allegations set forth in Paragraphs 1 to 20 above as if fully set forth herein.

28. The defendant currency is proceeds of an unlawful activity involving controlled substances that travelled with Williams in interstate commerce with the intent to distribute it, and otherwise promote, manage, establish, carry on, or facilitate the promotion, management, establishment, or carrying on, of an unlawful activity involving controlled substances.

29. Based on the foregoing, the defendant currency is subject to forfeiture, pursuant to Title 18, United States Code, Section 981(a)(1)(C) as property that constitutes or is derived from proceeds traceable to a violation of Title 18, United States Code, Section 1952.

PRAYER FOR RELIEF

WHEREFORE, the United States of America prays that a Warrant for Arrest be issued for the defendant property and the defendant property be condemned and forfeited to the United States of America, in accordance with the provisions of law; and that the United States of America be awarded its costs in this action, and have such other relief as provided by law and the nature of the case may require.

Respectfully submitted,

JEFFREY B. JENSEN
United States Attorney

/s/ Lindsay McClure-Hartman
LINDSAY MCCLURE-HARTMAN, #66070MO
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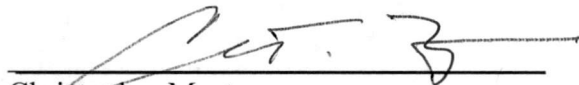
VERIFICATION

I, Special Agent Christopher Most, hereby verify and declare under penalty of perjury that I am a Special Agent with the Drug Enforcement Administration, that I have read the foregoing Verified Complaint in rem and know the contents thereof, and that the matters contained in the Verified Complaint are true to my own knowledge, except that those matters herein stated to be alleged on information and belief and as to those matters I believe them to be true.

The sources of my knowledge and information and the grounds of my belief are the official files and records of the United States, information supplied to me by other law enforcement officers, as well as my investigation of this case, together with others, as a Special Agent of the Drug Enforcement Administration.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on: 4/1/19
(date)



Christopher Most
Special Agent
Drug Enforcement Administration